IN THE UNITED STATES DISTRICT COURT

FOR THE DISTRICT OF DELAWARE

UNITED STATES OF AMERICA,

.

Plaintiff,

.

v. : Criminal Action No. 05-12-GMS

TRACY FISHER,

.

Defendant.

NOTICE OF APPEAL

Notice is hereby given that Tracy Fisher, defendant in the above-captioned case, through his attorney, Penny Marshall, Federal Public Defender, hereby appeals to the United States Court of Appeals for the Third Circuit, from the Judgment entered by the Honorable Gregory M. Sleet, in this action on the 3rd day of March, 2006, in the United States District Court, Wilmington, Delaware.

/s/ Penny Marshall

PENNY MARSHALL, ESQUIRE Federal Public Defender 704 King Street, Suite 110 Wilmington, DE 19801 302-573-6010

Email: ecf_pm@msn.com

Attorney for Defendant Tracy Fisher

DATED: March 7, 2006

CERTIFICATE OF SERVICE

Undersigned counsel certifies that a copy of Defendant's Notice of Appeal is available for public viewing and downloading and was electronically delivered on March 7, 2006, to:

Adam Safwat, Esquire Assistant United States Attorney 1007 Orange Street, Suite 700 Wilmington, DE 19801

/s/ Penny Marshall

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DATED: March 7, 2006